



Chapter 1: General Information

What is the Delaware law regarding child support?

Both parents have a duty to support a child until the child is 18 years of age; or, if the child is still in high school until the child graduates or attains age 19, whichever occurs first. This is true regardless of whether the parents are, were, or never married.

-The Delaware law regarding support can be found in the Delaware Code, Title 13, Chapter 5.

How is the amount of the support order calculated?

The Delaware Child Support Formula is used to set the amount of the support order. It is based on both parents' incomes and the needs of the child. The Formula calculation must be performed for every case to ensure that the amount will be fair and the children will receive enough support. However, it may be challenged if there are special circumstances, and a different amount may be ordered.

- Specific instructions for child support calculations are found in chapter 9 of this packet and Family Court Civil Rules 500-509.

What factors are taken into consideration in calculating the child support amount?

1. All earnings and income of both parents.
2. Support of other children.
3. The child's health care needs through health insurance or other means.
4. Child care/school expenses (daycare expenses necessary for the parents to work, but private school expenses only under limited circumstances).
5. Whether the child lives with both parents equally or primarily resides with one parent.

Will a wage attachment be ordered?

Yes, in most cases. If the parent is working, a wage attachment must be ordered by law and sent to the employer. DCSE issues all wage attachments. The employer must honor the wage attachment. If the parent changes jobs, the Court must be notified by the parent. The Court will direct DCSE to transfer the wage attachment to the new employer. Wage attachments are the best way to get regular payments for the child since the payments are made on the same schedule that the wages are paid (monthly, weekly, bi-weekly, etc.).



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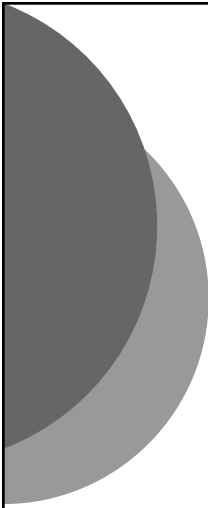
If the parent who pays support is not allowed visitation, must he/she continue to pay support?

Yes, visitation and child support are two separate issues. Support is for the child, and his/her needs do not end if visitation stops. If a Court order for visitation is not followed, the non-custodial parent may file a separate Rule to Show Cause Petition to enforce the order.

Where else can I find support regarding child support services? What kind of services would they provide?

The Division of Child Support Enforcement provides a full range of child support services to any individual who applies for services and pays an application fee.

The Division will file petitions in Family Court for child support, modification of support orders, and enforcement of support orders. The Division also may enforce support orders administratively by intercepting tax refunds and suspending licenses.



Division of Child Support Enforcement Information

The Division of Child Support Enforcement provides a full range of child support services to any individual who applies for services and pays an application fee. The Division will file petitions in Family Court for child support, modification of support orders and enforcement of support orders for its clients. The Division may also enforce support orders administratively by intercepting tax refunds and suspending licenses.

Below is contact information for the Division of Child Support Enforcement:

Customer service: Automated Assistance Lines– Toll Free
New Castle County: (302) 577-7171
Kent County: (302) 739-8299
Sussex County: (302) 856-5386

Office Locations

New Castle County	Kent County	Sussex County
Churchman's Corporate Center 84A Christiana Road New Castle, DE 19720	Carroll's Plaza 1114 S. DuPont Hwy. Suite # 101 Dover, DE 19901	9 Academy Street Georgetown, DE 19947